United States District Court Southern District of Texas

ENTERED

August 28, 2020 David J. Bradley, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

KINDER MORGAN, INC.,	§	
	§	
Plaintiff.	§	
	§	
VS.	§	CIVIL ACTION NO. 4:19-CV-01677
	§	
UNITED STEEL, PAPER, AND	§	
FORESTRY, RUBBER,	§	
MANUFACTURING, ENERGY,	§	
ALLIED-INDUSTRIAL AND	§	
SERVICE WORKERS	8	
INTERNATIONAL UNION,	§	
AFL-CIO, CLC, ET AL.,	§	
	§	
Defendants.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On August 13, 2020, United States Magistrate Judge Andrew M. Edison filed a Memorandum and Recommendation (Dkt. 45) recommending that Plaintiff Kinder Morgan, Inc.'s ("Kinder Morgan") Motion for Summary Judgement (Dkt. 29) be **GRANTED** and Defendants' United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union, AFL-CIO, CLC and its Local Union No. 13-227 (collectively, "USW Defendants") Motion for Summary Judgment (Dkt. 28) be **DENIED**.

On August 27, 2020, Kinder Morgan filed Objections to the Magistrate's Report and Recommendation (Dkt. 46). In accordance with 28 U.S.C. § 636(b)(1), this Court is required to "make a de novo determination of those portions of the [magistrate judge's]

report or specified proposed findings or recommendations to which objection [has been]

made." After conducting this de novo review, the Court may "accept, reject, or modify,

in whole or in part, the findings or recommendations made by the magistrate judge." Id.;

see also Fed. R. Civ. P. 72(b)(3).

Based on the pleadings, the record and the applicable law, the Court ACCEPTS

Judge Edison's Memorandum and Recommendation and ADOPTS it as the opinion of

the Court. It is therefore ORDERED that

(1) Judge Edison's Memorandum and Recommendation (Dkt. 45) is APPROVED

AND ADOPTED in its entirety as the holding of the Court;

(2) Kinder Morgan's Motion for Summary Judgment (Dkt. 29) is **GRANTED**

and USW Defendants' Motion for Summary Judgment (Dkt. 28) is **DENIED.**

It is so **ORDERED**.

SIGNED at Houston, Texas, this 28th day of August, 2020.

GEORGE C. HANKS, JR.

UNITED STATES DISTRICT JUDGE